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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,309	07/22/2004	Eric Vetillard	190-77	9172
2746	7590	12/27/2007		
WILLIAM H. EILBERG THREE BALA PLAZA SUITE 501 WEST BALA CYNWYD, PA 19004			EXAMINER DOAN, TRANG T	
			ART UNIT 2131	PAPER NUMBER
			MAIL DATE 12/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/502,309

Applicant(s)

VETILLARD, ERIC

Examiner

Trang Doan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to the amendment filed on 10/11/2007.
2. Claims 1 and 4-5 have amended.
3. Claims 1-9 are pending for consideration.

### ***Continued Examination Under 37 CFR 1.114***

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/11/2007 has been entered.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.
6. Examiner notes, all amended claims must be shown by strike-through (for deleted matter) see MPEP section 713.10.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Urien (US 2002/0138549) (hereinafter Urien) in view of Binding et al. (US 6775772) (hereinafter Binding).

9. Regarding claim 1, Urien teaches a method of securing messages exchanged over a data transmission network between a server (1) and a small client (2), the small client comprising a smart card or a mobile communication system, wherein the small client does not have the resources necessary for providing security functions, the method being performed under the control of an authority that defines message exchange rules, the method comprising providing control in a decentralized manner by a representative (3) of the authority, and setting up communication between the client and the server only via the representative of the authority, wherein the client is connected to a network of the server only through the representative of the authority, and wherein the representative of the authority is used throughout all transactions establish between the client and the server (Urien: see figure 6 and Abstract section and paragraphs [0043, 0095, 0136, 0141, 0153, 0157, 0192, 0216-0218]).

Not specifically described in detail in Urien are wherein the representative of the authority translates messages transmitted between the server and the client and applies verifications decided on by the authority to said transmitted messages.

However Binding, in an analogous art, teaches wherein the representative of the authority translates messages transmitted between the server and the client and applies

verifications decided on by the authority to said transmitted messages (Binding: see Abstract, figure 3, column 5 lines 1-5, column 15 lines 6-16 and column 15 lines 36-59: a client and server exchange secure messages using a trusted third party).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the procedure in Urien as taught by Binding because what is needed is a technique for establishing and maintaining end-to-end security sessions at the application level while maintaining the integrity of any application-layer communications protocol and without adding undue amounts of communications and message exchanges (Binding: column 4 lines 9-14).

10. Regarding claim 2, Urien as modified teaches a first protocol (P) for exchanges between the server (1) and the representative (3) of the authority, and using a second protocol (P') different from the first protocol (P) for exchanges between the representative (3) of the authority and the client (2) (Urien: see figure 6 and paragraphs [0049-0051, 0077 and 0083]).

11. Regarding claim 3, Urien as modified teaches setting up a first secure channel (4) between the server (1) and the representative (3) of the authority, using a first key (Ks) known to the representative (3) of the authority and to the server (1) but not to the client (2), and using a first encryption algorithm (AL), and setting up a second secure channel (5) between the representative (3) of the authority and the client (2), using a second key (Kc) known to the representative (3) of the authority and to the client (2) but not to the server (1), and using a second encryption algorithm (AL') (Urien: see figure 6 and paragraphs [0157, 0193, 0219, 0244-0245, 0247, 0252-0253]).

12. Regarding claim 4, this claim has limitations that is similar to those of claim 1, thus it is rejected with the same rationale applied against claim 1 above.

13. Regarding claim 5, Urien as modified teaches wherein the decentralized control device or representative (3) of the authority is a data processing microsystem secured by hardware (Urien: see figure 6, Summary section and paragraphs [0049-0051, 0077 and 0083]).

14. Regarding claim 6, this claim has limitations that is similar to those of claim 1, thus it is rejected with the same rationale applied against claim 1 above.

15. Regarding claim 7, Urien as modified teaches the client (2) is a first smart card; the representative (3) of the authority is a second smart card; the dedicated interface system is a smart card reader (7) comprising two card ports (9) and (10) (Urien: see figure 6 and Abstract section).

16. Regarding claim 8, Urien as modified teaches wherein: the client (2) is a mobile communication system; the server (1) is a data processing system communicating with the client (2) via a physical connection or via a wireless communication network; the representative (3) of the authority is a smart card representing the operator of the wireless communication network (known as the SIM card in telephones conforming to the GSM standard) (Urien: see figure 6 and Abstract section and paragraphs [0004 and 0087]).

17. Regarding claim 9, Urien as modified teaches the client (2) is a smart card; the representative (3) of the authority is a data processing system secured by hardware; the dedicated interface system (7) is a machine comprising a card port (9) and a dedicated

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input-output interface (10) for connection to the representative (3) of the authority data processing system (Urien: see figure 6 and Abstract section).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang Doan whose telephone number is (571) 272-0740. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Trang Doan  
Examiner  
Art Unit 2131

T.D.

  
SYED A. ZIA  
PRIMARY EXAMINER